

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0603

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WILLIAM A. PARRISH,

Defendant and Appellant.

FILED

FEB 16 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME
AND AFFIDAVIT IN SUPPORT**

Joslyn Hunt, Chief Appellate Defender and supervisor to Taryn Stampf Hart, counsel of record for Defendant and Appellant, respectfully requests an extension of time until, March 18, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted this 16th day of February, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
301 South Park, Room 568
P.O. Box 200145
Helena, MT 59620-0145

By: _____

Joslyn Hunt
JOSLYN HUNT

Chief Appellate Defender

STATE OF MONTANA)
 : ss.

County of Lewis and Clark)

I, Joslyn Hunt, being first duly sworn upon my oath, depose and state as follows:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Office of State Public Defender, Appellate Defender Office, as the Chief Appellate Defender.

2. In my capacity as Chief Appellate Defender, I have assigned Taryn Stampf Hart to handle the above-entitled matter.

3. The Appellant's opening was first due on December 24, 2009, the brief is presently due on February 23, 2010. This is Appellant's second request for an extension.

4. Due to staffing issues, an extension in Appellant's case is needed. I have reviewed Appellant's district court file and will continue to work on his case until the staffing issues are resolved. Because Appellant's case is lengthy, I cannot complete a thorough review of his case, draft the brief, provide Appellant a copy of the brief, and discuss the brief with Appellant in time remaining before his opening brief is due. Consequently, an additional 30 days is necessary.

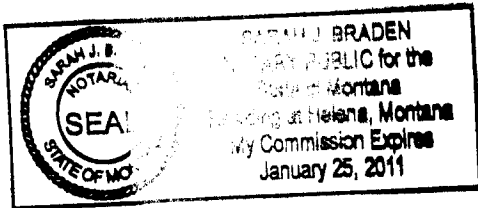
5. I will work diligently to complete the matter in the time requested.

6. Opposing counsel has been contacted concerning this motion and does not object.

7. Further your affiant sayeth naught.

Joslyn Hunt
JOSLYN HUNT

SUBSCRIBED AND SWORN to before me this 10th day of February,
2010.



Sarah J. Braden
Sarah J. Braden

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time and Affidavit in Support to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

MICHAEL B. HAYWORTH
Rosebud County Attorney
P.O. Box 69
Forsyth, MT 59327

WILLIAM A. PARRISH 3003602
Crossroads Correctional Center
50 Crossroads Drive
Shelby, MT 59474

DATED: _____